

EXHIBIT 23

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

AMERICAN ASSOCIATION OF
COLLEGES FOR TEACHER
EDUCATION, *et al.*,

Plaintiffs,

v.

DENISE CARTER, *et al.*,

Defendants.

Civil Action No. 25-cv-00702

**DECLARATION OF HEATHER KIRKPATRICK, PH.D., IN SUPPORT OF
APPLICATION FOR TEMPORARY RESTRAINING ORDER / PRELIMINARY
INJUNCTION**

I, Heather Kirkpatrick, Ph.D., declare and state under penalty of perjury the following:

1. I am the President and Chief Executive Officer at Alder Graduate School of Education.
2. I am over the age of 18, and I am competent in all respects to testify to the matters below. I understand that this Declaration is for use in connection with the above-captioned civil action, and I make this Declaration based upon my own personal knowledge and my review of Alder Graduate School of Education's business records.
3. Alder Graduate School of Education ("Alder GSE") is a member organization of the National Center for Teacher Residencies ("NCTR") and American Association of Colleges for Teacher Education ("AACTE"), which are plaintiffs in this action.
4. Alder GSE was awarded a five-year grant under the Teacher Quality Partnership grant program ("TQP") in 2020, as well as a five-year TQP grant in 2022.
5. Both of Alder GSE's TQP grants fund teacher residency programs.

6. The teacher residency programs consist of partnerships between Alder GSE and partner K-12 school systems, including public school districts and a Special Education Planning Area, to operate community-based workforce development pathways for aspiring teachers.

7. Alder GSE and its partner K-12 school systems recruit and prepare community members through a one-year teacher residency program, where candidates co-teach with a highly qualified mentor teacher while earning their Master's degree and teaching credential. They are often hired immediately upon completion of the program, most often by the school systems where they trained.

8. Both of Alder GSE's TQP grants are five-year grants. The 2020 TQP grant's goals are (i) launch and scale a new and sustainable residency program with three partner local education agency that meets local human capital needs; (ii) train, support and retain effective new teachers in schools with high concentrations of high need students; and (iii) demonstrate the capacity of partners to scale, sustain, and replicate teacher residency and development model. The 2022 TQP grant's goals are: (i) build a pipeline of high-quality and diverse teachers in partnership with high-need local education agencies that effectively meets their human capital needs and certification shortage areas; (ii) promote equity, strengthen student learning, and meet the social, emotional, and academic needs of students by modeling for and by building the capacity of mentors and residents to use evidence based practices and to create positive and inclusive learning environments; and (iii) increase impact by building capacity, sustainability and scale of the partnership and high-leverage strategies.

9. On February 13, 2025, Alder GSE received updated Grant Award Notifications from the Department of Education that stated that the grants were terminated because they are

“inconsistent with, and no longer effectuates, Department priorities.” True and correct copies of the Grant Award Notifications are attached as **Exhibit A**.

10. Also on February 13, 2025, Alder GSE received letters from the Department of Education that stated as follows:

It is a priority of the Department of Education to eliminate discrimination in all forms of education throughout the United States. The Acting Secretary of Education has determined that, per the Department’s obligations to the constitutional and statutory law of the United States, this priority includes ensuring that the Department’s grants do not support programs or organizations that promote or take part in diversity, equity, and inclusion (“DEI”) initiatives or any other initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic. Illegal DEI policies and practices can violate both the letter and purpose of Federal civil rights law and conflict with the Department’s policy of prioritizing merit, fairness, and excellence in education....the grant specified above provides funding for programs that promote or take part in DEI initiatives or other initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic; that violate either the letter or purpose of Federal civil rights law; that conflict with the Department’s policy of prioritizing merit, fairness, and excellence in education; that are not free from fraud, abuse, or duplication; or that otherwise fail to serve the best interests of the United States. The grant is therefore inconsistent with, and no longer effectuates, Department priorities.

True and correct copies of the above-referenced letters are attached as **Exhibit B**.

11. As of February 13, 2025, the Department stopped providing all funding approved by the grants.

12. The termination of the grants has had and will continue to have immense impacts on the aspiring teacher candidates, mentor teachers, the partner K-12 school systems, and Alder GSE.

13. For the 2024-2025 academic year, the teacher residency programs have 83 aspiring teacher candidates who were receiving a living stipend supplemented by the funds from the TQP

grants. The teaching candidates depend on these stipends to live, eat, and support their families—for most they are their only source of income. The teaching candidates signed Letters of Commitment before June 2024, with the expectation of a level of stipend for the entirety of the school year. The teacher residency programs also presently have 83 mentor teachers who receive a stipend funded by grant funds for their work in support of their efforts to train and develop new teachers. With the termination of the grants, the 83 aspiring teacher candidates and 83 mentor teachers will no longer receive the level of stipends they were promised.

14. Alder GSE has already recruited 40 new teacher candidates for the 2025-2026 academic year and K-12 school systems had planned to provide the living stipends – the majority of which were planned to be supplemented with TQP grant funds. Alder GSE recruited the majority of these residents with the expectation of a level of funding for their living stipend that was supplemented by the grant funding. The majority of these residents are enrolled, have signed letters of commitment, or are in final rounds of interviews/admissions. The financial impact of the grants' termination will affect many of their decisions to become teachers. Similarly, the grants' termination affects the stipend funding levels for mentors, which will have an impact on their decision to continue with the role.

15. Alder GSE similarly planned to recruit 40 new teacher candidates and 40 new mentors for the 2026-2027 academic year, however, with the loss in grant funds, it will be more difficult for Alder GSE to recruit and prepare these future prospective candidates.

16. The termination of the TQP grants has caused and will continue to cause harm to the partner K-12 school systems as well. They are at risk of losing the teacher candidates who taught in their schools, which will have a negative impact on the school and its community. Alder GSE expects about \$2.1 million of lost funding for their partner K-12 school systems.

17. There were also a number of programmatic roles at Alder GSE that were partially supported by these TQP grants. These roles were supporting operation of these partnerships and these residency programs - including recruitment, admissions, enrollment, student services, financial support, data and impact, academic programs, and clinical programs. Alder GSE expects about \$2.2 million of lost funding supporting Alder GSE costs to support these partnerships and residency programs.


18. Additionally, the terminations will cause Alder GSE to lose approximately \$600,000 in funding for evaluation contracts. Alder GSE's evaluation partner was providing an important source of formative feedback and evidence of program effectiveness. The evaluation from TQP 2020 has a retention study in progress that is six months to completion, but will likely not be completed as a result of the termination of the grant. The evaluation for TQP 2022 still had 2.5 more years of data collection that has been terminated mid-cycle.

19. In addition to the dollars lost, the time and resource demands to meet this sudden news has been extraordinary. There have been countless hours of work to communicate clearly to all affected parties and to work with Alder GSE's Board and team on determining ways to mitigate these significant and completely unexpected losses.

20. These harms prevent Alder GSE from engaging in the core activities compelled by its mission and reason for existence.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 3rd day of March, 2025

By: 
Heather Kirkpatrick, Ph.D.